

Senate File 110 - Introduced

SENATE FILE 110
BY HATCH

A BILL FOR

1 An Act prohibiting specified alcoholic beverage licensees or
2 permit holders from knowingly permitting or engaging in any
3 criminal activity on the premises covered by the license or
4 permit, and making penalties applicable.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 123.49, subsection 2, paragraph j, Code
2 2011, is amended to read as follows:

3 *j.* Knowingly permit or engage in any criminal activity
4 on the premises covered by the license or permit. However,
5 the absence of security personnel on the licensed premises
6 is insufficient, without additional evidence, to prove that
7 criminal activity occurring on the licensed premises was
8 knowingly permitted in violation of this paragraph "j".

9 (1) For purposes of this paragraph "j", "premises" includes
10 parking lots and areas adjacent to the premises of a liquor
11 licensee or permittee authorized to sell alcoholic beverages
12 for consumption on the licensed premises and used by patrons of
13 the liquor licensee or permittee.

14 (2) For purposes of this paragraph "j", "premises" also
15 includes parking lots and areas adjacent to the premises of
16 a convenience store holding a liquor license or permit and
17 authorized to sell alcoholic beverages for consumption off
18 the licensed premises and used by patrons of the licensee or
19 permittee. For purposes of this subparagraph, "convenience
20 store" means a retail store occupying less than three thousand
21 five hundred square feet of floor space and providing some
22 combination of groceries, general merchandise, alcoholic
23 beverages, auto supplies, and prepared foods.

24 EXPLANATION

25 This bill relates to the prohibition against a liquor
26 licensee or beer and wine permittee under Code chapter 123
27 knowingly permitting or engaging in any criminal activity on
28 the premises covered by the license or permit.

29 Currently, for purposes of the prohibition, "premises"
30 are defined to include parking lots and areas adjacent to
31 the premises of licensees or permittees authorized to sell
32 alcoholic beverages for consumption on the licensed premises
33 and used by patrons of the liquor licensee or permittee. The
34 bill extends the prohibition to parking lots and areas adjacent
35 to the premises of a convenience store holding a liquor

1 license or permit and authorized to sell alcoholic beverages
2 for consumption off the licensed premises. The bill defines
3 a "convenience store" as a retail store occupying less than
4 3,500 square feet of floor space and providing some combination
5 of groceries, general merchandise, alcoholic beverages, auto
6 supplies, and prepared foods.

7 A violation of the bill's provisions constitutes a simple
8 misdemeanor punishable by confinement for no more than 30 days
9 or a fine of at least \$65 but not more than \$625 or by both.
10 In addition, a violation is grounds for the suspension or
11 revocation of a license or permit by the alcoholic beverages
12 division or a local authority.